

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	
MILTON THOMAS, SR.,	:	Chapter 13
	:	
Debtor.	:	Bky. No. 04-10175 ELF
	:	
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MILTON THOMAS, SR.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
	:	Adv. No. 13-0029
CITY OF PHILADELPHIA, <u>et al.</u> ,	:	
	:	
Defendants.	:	

ORDER

AND NOW, upon consideration of the motion to dismiss of U.S. Bank, N.A., as Trustee f/k/a Wachovia Bank, N.A. (“U.S. Bank’s Motion”) (Civ. Action No. 2:12-cv-1600, Doc. #9), and the combined to dismiss of the City of Philadelphia and the School District of Philadelphia (“the City’s Motion”) (Civ. Action No. 2:12-cv-1600, Doc. #18),¹ the Debtor’s responses thereto (Doc. #'s 17 & 20), and for the reasons stated in the accompanying Opinion,

It is hereby **ORDERED** that

1. U.S. Bank's Motion and the City's Motion are **GRANTED**.
2. **SUMMARY JUDGMENT** is **ENTERED** in favor of U.S. Bank, N.A., the City of

¹ For reasons explained in the Opinion, I am referencing the district court docket entries at Civ. Action No. 12-cv-1600, where the Complaint and Motions were originally filed.

Philadelphia and the School District of Philadelphia.

3. **On or before September 6, 2013** , the Plaintiff may file a Memorandum of Law setting forth why the Complaint should not be **DISMISSED** as to Defendants Philadelphia Authority for Industrial Development (“PAID”) and ARACOR Search & Abstract Services, Inc. (“ARACOR”). Or alternatively, instead of a Memorandum of Law, the Plaintiff may file an Amended Complaint setting forth additional factual allegations in support of his claims against PAID and ARACOR.



Date: August 15, 2013

ERIC L. FRANK
CHIEF U.S. BANKRUPTCY JUDGE

cc: Milton Thomas
140 W. Spencer Avenue
Philadelphia, PA 19120